

**WALDO COUNTY COMMISSIONERS COURT SESSION
FEBRUARY 28, 2006**

PRESENT: Commissioners John M. Hyk (Chairman), Charles G. Boetsch and Amy R. Fowler, Treasurer David A. Parkman, Deputy Treasurer Karen Ward and County Clerk Barbara L. Arseneau.

TREASURER'S REPORT:

Treasurer David Parkman reported the following:

The total County expenditure could be at 17% but is currently at 16% expended.

SURPLUS:

D. Parkman reported that the surplus totals \$130,458.39. He explained that the reason is it lower than expected is because the Commissioners had voted to increase the Contingency fund to \$100,000.00 and this was inadvertently left off the 2004 audit. It is funded now.

MIL RATE:

D. Parkman informed the Commissioners that the Mil Rate would be 0.001645164 if all surplus were put toward the Reserve accounts. This translates to \$1.64 and one half per thousand. A. Fowler asked for the 2005 Tax Commitment to compare. The Mil Rate is down from 2005. D. Parkman also explained that the Town of Palermo's situation with going to the legislature to try to reduce their State Valuation will affect the County's Commitment. It will be handled via the Overlay.

G. Boetsch read off the previous years' Mil Rates, which were 1.7, 1.8 and 1.7. He expressed his great pleasure that the Mil Rate had gone down. The Mil Rate in 2005 was .001732863, which meant that it went down 7.5 cents in 2006.

****A. Fowler moved, G. Boetsch seconded to set the 2006 Mil Rate at 0.001645164, which is a noted decrease from 2005. Unanimous.**

****G. Boetsch moved, A. Fowler seconded accepting the Treasurer's Report. Unanimous.**

REPLACEMENT OF VEHICLE:

****G. Boetsch moved, A. Fowler seconded approving payment of the Sheriff to take the remainder of what is not covered by the insurance to replace the recently totaled 2004 Sheriff's cruiser from the Vehicle Reserve. Unanimous.**

RESERVE PLANNING 2006:

The Commissioners decided not to set reserves during this court session, but briefly talked about possible amounts.

WARRANTS:

D. Parkman supplied the chart of invoices for the Restricted/Active Reserve account expenditures.

****G. Boetsch moved, A. Fowler seconded paying invoices on the February 28, 2006 Active/Restricted Reserves in the amount of \$3,869.77. Unanimous.**

****G. Boetsch moved, A. Fowler seconded authorizing payment of the February 28, 2006 regular warrant in the amount of \$138,894.35. Unanimous.**

G. Boetsch noted that the auditor had instructed the Commissioners to sign off all payrolls, as well.

PAYROLL PAYMENT AUTHORIZATION:

****G. Boetsch moved, A. Fowler seconded authorizing the payment of the January 2006 payrolls in the amount of \$249,965.80. Unanimous.**

****G. Boetsch moved, A. Fowler seconded authorizing payment of the February 2006 payrolls in the amount of \$229,200.28. Unanimous.**

EMERGENCY MANAGEMENT AGENCY REPORT:

Present with the Commissioners for this session was E.M.A. Director Dale Rowley who reported the following:

1. National Incident Management System (NIMS) training is mandatory. D. Rowley is trying to ascertain who should be trained. All law enforcement personnel will be trained in July. All others necessary will be trained later. He required an executive order to have a NIMS system. The deadline for NIMS compliance is October of this year.

****A. Fowler moved, G. Boetsch seconded signing the NIMS Executive Order. Unanimous.**

2. GENERATORS: D. Rowley reported that The 150 K generator is repaired and in place at Troy Howard Middle School. There was discussion of funding a generator hook-up at T.H.M.S. J. Hyk suggested taking funds from the Emergency Shelter Reserve and track it in memo format for the Budget Committee prior to the July summer session.
3. D. Rowley met with the Searsport School District and an electrician from Mansfield and they are trying to get the larges panel (3-phase) that they can. The electrician has already been paid for the work to be done.
4. D. Rowley said it was yet to be determined whether Mt. View School construction will include a pad for a generator.
5. The DCON Strike Team is going well. Over 80 have been trained. Some already have equipment available for them. D. Rowley inquired about how to handle Workers' Compensation for this team. He explained that they fall under the State's liability, but not Workers' Compensation. York County has hired people within the County. The Commissioners asked B. Arseneau to look into this for 2007.
6. D. Rowley spoke to the Selectmen's Association regarding NIMS compliance at the Waldo Town Office. He felt that he was starting to "energize the towns."
7. There will be an LEPC meeting tonight at the E.M.A. office at 7:00 p.m. Last time sixteen out of the 26 towns attended and there will be a make-up meeting this coming Thursday.

8. Notice of applications for the 2006 Homeland Security grant should be coming out soon and D. Rowley will keep checking for this. The Commissioners asked D. Rowley to keep an eye out for other possible funding, including other grants.
9. D. Rowley has been meeting with local medical contacts, including Waldo County General Hospital, to deal with the potential hazard of the Pandemic Bird Influenza.
10. The E-Studio portal is online and running.
11. There has been information received regarding the Presidential Declarations of disasters. \$106,000.00 is the minimum amount to be declared by Waldo County in order to receive reimbursement. As long as the \$1.3 Million is met by the State, it could all be reimbursed. D. Rowley mentioned that there were five incidents in Waldo County in the past four years in which reimbursement could have been sought and received for disaster relief.
12. G. Boetsch asked D. Rowley if there had been any "brown-outs" coming up due to lack of electricity and a need to reduce usage periodically in specific regions this year. D. Rowley responded that he had not heard of anything other than that there has been a general request that people conserve energy as much as possible.

The Commissioners thanked D. Rowley for his excellent work and progress.

FACILITIES REPORT:

Present with the Commissioners was Facilities Manager Keith Overlock and Architect Robert Fenney, who reported the following:

1. The Wood rail in the Superior Courthouse has been started. Measurements have been taken and the fabrication will start soon.
2. Both had visited the University of Maine Waldo County Cooperative Extension. It was reported that it made sense to not repair the current handicap ramp, but to go through the flowerbeds and make another one. Some small trees may have to be moved. R. Fenney will draw up the specifications for bids in the spring.
3. R. Fenney, K. Overlock, G. Boetsch and some others have been looking at the records situation. The conclusion has been to try a "low-tech" solution. Security on confidential records will be increased with locks on the doors in the rooms where they are kept. The Superior Courthouse has a sprinkler system already. The biggest problem at this point is moisture in general. There are three storage areas in the basement facing City Hall. It was proposed to the Commissioners that dehumidifiers and drains be installed in these rooms. Good dehumidifying units cost about \$200.00 each and are programmable. An electrical outlet and frame for each room will also be required at about \$450.00 to \$500.00 per room, or about \$1,500.00 total. Little digital humidistats could be purchased to keep track of the moisture levels. K. Overlock stated that the Jail records are under lock and key in the rooms that will be dehumidified. He had consulted with Archivist Cheryl Coats in this process and she was helpful in figuring out how to handle the situation.

4. K. Overlock informed the Commissioners that there is a dog fence from the house behind the Communications Center that is partly on County property and in bad shape. He requested permission to remove it and continue the wooden fence to the tree line. The Commissioners authorized this and requested that K. Overlock contact the owners to let them know this would take place.
5. The Superior Courthouse Law Library will be rearranged as soon as the County hears back on whether the grant will be awarded for archival shelving. B. Arseneau mentioned that the State's computer might not be able to be moved because of difficulty running wire in that building. She would need to look into that further.
6. There was brief discussion of continued breaking of the smoking policy at some of the buildings, and Superior Courthouse in particular. People stand near the doorways and do not honor the 25' distance from main-door entries. The Commissioners acknowledged that this was a problem and hoped that the employees would follow the policy even if the public does not always.
7. It was suggested that the attic and top floor of the Superior Courthouse be insulated to prevent heat loss.
8. R. Fenney informed the Commissioners that he was "uneasy" about putting bid specifications together for the District Courthouse boiler replacement. He recommended hiring an engineer to come and spec this out. The most it should cost would be \$1,000.00 but it would be more accurate and far better to have the proper person involved. J. Hyk suggested funding it from the County Planning reserve. The Commissioners authorized R. Fenney to hire an engineer for this purpose. The parts and equipment all vary in age. The floor will be part of the questions asked.
9. The heating system at the Superior Courthouse was discussed. People keep leaving the heat on and the thermostats too high, particularly at night and on weekends. K. Overlock said he constantly had to check on this.
10. There was discussion of looking at the former Robertson School for County space. J. Hyk had spoken with the City of Belfast Mayor and this was a possible consideration. Technology would be costly to move the Sheriff's Office there, so this could not be too temporary. Patches would only be done as absolutely necessary. The School District (#34) has received a proposal from Waldo County Action Partners and needs to decide if it is accepting this or not. The District may be interested in either renting or selling. At any rate, the Mayor is now aware of the County's interest. R. Fenney suggested talking with the chairman of District #34, which is Al Douglas. G. Boetsch offered to give him a call.
11. K. Overlock asked if the Sheriff's roof, which had recently lost a number of shingles, should have any repairs. He wondered if it was permissible to use skilled inmates for various work. The Commissioners asked him to find out if the inmate's Workers' Compensation would cover him/her while doing this work and also asked B. Arseneau to find out if the County's liability insurance would cover the County in this case.
12. K. Overlock told the Commissioners that some of the rafters in the Sheriff's barn roof are broken and require attention to strengthen them.

13. K. Overlock asked the Commissioners' permission to install a "low temperature" monitor on the boiler and have Seacoast Security monitor that along with the sprinkler system at the Superior Courthouse. He felt that this would bring it to someone's attention sooner, especially if it occurred on a weekend.
14. A storage unit is needed at the Jail and Communications Center area. The County is now recycling and needs a place to store these items as well as salt, shovels, rakes, etc. for the Jail. K. Overlock noted that a 24' x 24' building would be useful, especially if the County has to continue to use the Old Jail and Sheriff's building. The Commissioners told him to put it in the 2007 budget.
15. **UNITY FIREHOUSE PROPOSED SHERIFF'S SUBSTATION:** R. Fenney spoke with the Commissioners about a possible "satellite" Sheriff's station in the new Unity Fire Station. A letter from the Commissioners would be needed indicating that they "agree in concept." J. Hyk recalled that the figures presented were too high for the cost per square foot. R. Fenney suggested a long-term contract in two parts – paying the mortgage and grounds management. J. Hyk asked R. Fenney to have the Town of Unity send a letter with the details for the Commissioners to consider signing.

COMMUNICATIONS CENTER DIRECTOR OWEN SMITH:

O. Smith requested that the Commissioners enter Executive Session for a personnel matter.

****A. Fowler moved, G. Boetsch seconded entering Executive Session as allowed by MRSA Title 1, § 1405 (F.) at 11:39 a.m. Unanimous.**

****A. Fowler moved, G. Boetsch seconded exiting Executive Session at 11:49 a.m. Unanimous.**

O. Smith reported that more money was spent out of the 2004 Homeland Security funding than anticipated, so there was not enough money left to complete the microwave South build-out.

MISCELLANEOUS COMMISSIONERS' REPORTS:

The Commissioners did not have any particular business or reports at this time.

CORRESPONDENCE:

Present with the Commissioners was County Clerk Barbara Arseneau. Correspondence to the Commissioners was as follows:

1. The County Commissioners signed a Waldo County Resolution recognizing Jennifer Masessa of Montville Maine as a Distinguished Finalist in the eleventh annual Prudential Spirit of Community Awards for her volunteer work.
2. Joyce C. Scott, Executive Director of the Waldo Community Action Partners sent an invitation to the Community Forum at the Hutchinson Center on March 15, 2006 from 8:30 a.m. to 12:00 p.m. to the County Commissioners "to express your vision of the current strengths and challenges of Waldo County." The Commissioners were not sure they would be able to attend, but would let B. Arseneau know.

3. S. Story had sent word down requesting the authorization to fund the difference between a 2004 and a 2006 cruiser to replace the totaled cruiser. He was unsure if this came from the Vehicle Reserve or not.
4. Archivist Cheryl Coats sent a list of records to be discarded for February 13-17, 2006 for authorization by the County Commissioners. The Commissioners authorized disposal of these records.
5. Corrections Officer Michael Hopkins will receive a one-year pay increase from \$13.26 to \$13.40 per hour, effective March 8, 2006. The County Commissioners acknowledged this.
6. Loren H. Clarke of Nickerson and O'Day has notified the office that he is available whenever the Commissioners might like to meet with him in order to discuss any future planning for a Jail. He built the Penobscot County Jail, and assisted Hancock County in making decisions about their Jail.
7. William Peabody, Director of the Bureau of Labor Standards, sent a letter regarding the inspection on August 30, 2005 and the County's request to waive the penalty that was cited. After discussing this request with a representative of the Workplace Safety and Health Division, he had determined that there would be no penalty assessed. He thanked the Commissioners and staff for their "expeditious attention in this matter."
8. A letter from Maritimes & Northeast Pipeline was received detailing information regarding interested parties and stakeholders involved in the FERC Pre-Filing Process for Maritimes' Phase IV Project. And the Maritimes' Petition for Waiver.
9. B. Arseneau submitted the March staff calendar for review by the County Commissioners.
10. As requested, B. Arseneau had polled the other Maine Counties and had learned of several ways the counties handle grants and grant matches.
11. The completed, signed lease contract with Government Capital Corporation has been received.

PERSONNEL POLICY REVIEW:

B. Arseneau explained that while reviewing the policy, the attorney recommended that "domestic partner" be added to the sections in Family Medical Leave Act, Family Sick Leave and Anti-Nepotism. The Commissioners discussed this briefly and agreed that it was the correct thing to do.

****A. Fowler moved, G. Boetsch seconded adding "domestic partner" to and incorporating into Family Medical Leave Act, Family Sick Leave, and Anti-Nepotism. Two in favor; G. Boetsch opposed.**

Workers' Compensation was briefly discussed. The attorney had expressed surprise that the County continues to give the full paycheck to an employee out on Workers' Comp leave with the understanding that the Workers' Compensation check received by the employee is turned over to the County Treasurer.

****A. Fowler moved, G. Boetch seconded changing the wording so that the employee who is out on Workers' Compensation leave receives the Workers' Compensation check, not a paycheck from the County. Unanimous.**

A few other minor policy items were discussed, including whether or not the County should have a Board of Appeals for personnel hearings and whether the County should have cigarette butt cans outside the buildings. No actual decision was made on either.

FUTURE COMMISSIONERS COURT SESSIONS:

The Waldo County Commissioners Court Session established the following dates for Commissioners Court Sessions:

- ❖ **March 21, 2006** – the third Tuesday because Commissioner Hyk is scheduled for surgery on the second Tuesday
- ❖ **April 4, 2006** – the first Tuesday because Commissioner Fowler cannot be present on the second Tuesday

****A. Fowler moved, G. Boetsch seconded adjourning the meeting at 1:15 p.m. Unanimous.**

Respectfully submitted by *Barbara L. Arseneau*
Waldo County Clerk